

Notice of Allowability

Application No.

09/931,330

Examiner

Callie E. Shosho

Applicant(s)

REIL, FRANK

Art Unit

1714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/23/04 and telephonic interview conducted 2/18/04.
2. ☒ The allowed claim(s) is/are 32-49.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/505,790.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 2/18/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Callie E. Shosho
Primary Examiner
Art Unit: 1714

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) Claim 32, line 3, after "dye" and before "is", delete "which" and insert "wherein said black thermoplastic molding composition".

(2) Claim 34, line 2, after "98" and before "Solvent", delete "or" and insert ",".

(3) Claim 35, line 2, after "37" and before "Solvent", delete "or" and insert ",".

(4) Claim 36, line 2, after "37" and before "Solvent", delete "or" and insert ",".

(5) Claim 37, line 4, after "said" and before "is", delete "thermoplastics" and insert "thermoplastic".

(6) Claim 37, line 6, change "Copolymer" to "copolymer".

2. Authorization for this examiner's amendment was given in a telephone interview with Ashley Pezzner on 2/18/04.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

(1) In the specification, page 1, line 10, after "February 17, 2000", insert "now abandoned".

Statement of Reasons for Allowance

4. The present claims are allowable over the "closest" prior art Pinho et al. (U.S. 2002/0056707) and Yamada et al. (U.S. 5,540,998) for the following reasons:

Pinho et al. disclose thermoplastic substrate comprising thermoplastic polymer and nonabsorbing dyes that are used in combination to produce black colored substrate. It is disclosed that the colored substrate is transparent to laser light. However, with respect to present claim 32, while Pinho et al. disclose obtaining black thermoplastic substrate by combining red, yellow, and blue nonabsorbing dyes, there is no disclosure or suggestion in Pinho et al. of combining nonabsorbing yellow dye and nonabsorbing violet dye as required in present claim 32. Further, while Pinho et al. disclose the use of nonabsorbing dye, there is no disclosure of nonabsorbing polymer-soluble dye as required in all the present claims. Further, with respect to present claim 37, while Pinho et al. disclose the use of thermoplastic polymer that is polyolefin such as polyethylene or polypropylene, there is no disclosure of thermoplastic polymer that is cycloolefin copolymer, polystyrene, styrene-acrylonitrile, polycarbonate, polyacrylate, polyester, or polyamide as required in present claim 37.

Yamada et al. disclose coating composition comprising thermoplastic polymer as well as yellow and violet pigments which are used in combination to produce black color. However, while Yamada et al. disclose combining yellow and violet pigments, there is no disclosure or suggestion of nonabsorbing polymer-soluble dyes as required in all the present claims. Further, Yamada et al. is drawn to solar heat shielding coating composition not thermoplastic molding composition as presently claimed. Additionally, given that Pinho et al. is drawn to thermoplastic substrate which is laser welded to adjacent material such as carpet panel to form laminated

panels and Yamada et al. is drawn to solar heat shielding coating composition and structure coated with this composition, there is no motivation for one skilled in the art to combine the teachings of the two references.

Thus, it is clear that Pinho et al. and Yamada et al., either alone or in combination, do not disclose or suggest the present invention.

In light of the above, it is clear that the rejections of record are untenable and so, the present claims are passed to issue.

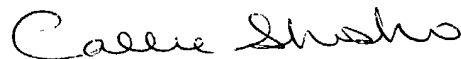
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Callie E. Shosho whose telephone number is 571-272-1123. The examiner can normally be reached on Monday-Friday (6:30-4:00) Alternate Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 571-272-1119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Callie E. Shosho
Primary Examiner
Art Unit 1714

CS
2/18/04